



# City of NORFOLK

C: Dir., Pubic Works

To the Honorable Council  
City of Norfolk, Virginia

April 14, 2015

From: David Ricks, Director of Public Works

**Subject:** Encroach into the right of way of Runnymede Road, with an underground sprinkler system.

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

**Ward/Superward:** 1/6

Approved:

Marcus D. Jones, City Manager

**Item Number:**

**R-10**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Christiane Ellis Valone  
1423 Runnymede Road  
Norfolk, Virginia 23505

III. **Description**

This agenda item is an encroachment permitting Christiane Ellis Valone to encroach into right-of-way of Runnymede Road with an underground sprinkler system.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow Christiane Ellis Valone to install an underground sprinkler system for lawn maintenance.

V. **Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$300,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. **Environmental**

There is no negative environmental impact associated with this action.

**VII. Community Outreach/Notification**

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

**VIII. Board/Commission Action**

The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office has reviewed this request for encroachment and offer no objections. Review and approval by the Architectural Review Board and the City Planning Commission is not required.

**IX. Coordination/Outreach**

This letter has been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A

Form and Correctness Approved

Contents Approved:

By [Signature]  
Office of the City Attorney

By [Signature]  
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE PERMITTING CHRISTIANE ELLIS VALONE TO ENCROACH INTO THE RIGHT OF WAY OF RUNNYMEDE ROAD, WITH AN UNDERGROUND SPRINKLER SYSTEM.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Christiane Ellis Valone and her successors and assigns, the owner of certain property located at 1423 Runnymede Road, to encroach into the right of way of Runnymede Road, with an underground sprinkler system, as shown on the sketch attached hereto as Exhibit A, subject to and contingent upon the following conditions:

(1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, Christiane Ellis Valone and her successors and assigns shall immediately remove the encroaching structure.

(2) That Christiane Ellis Valone and her successors and assigns, at their own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring them and naming the City of Norfolk as an additional insured party in the amount of at least \$300,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or Christiane Ellis Valone and her successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Risk Manager of the City of Norfolk.

(3) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.

Section 2:- That the failure of Christiane Ellis Valone or of her successors and assigns to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structure shall be deemed an acceptance Christiane Ellis Valone and her successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.



